



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500  
DENVER, COLORADO 80202-2466

Ref: 8ENF-L

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

BP America Production Company  
c/o John R. Jacus, Esq.  
Davis, Graham & Stubbs, L.L.C.  
Post Office Box 185  
Denver, Colorado 80201-0185

Re: Termination of Order Issued to Amoco Production Company  
Pursuant to Section 7003 of RCRA (Docket No. RCRA (7003) VIII-95-03)

Dear Mr. Jacus:

The United States Environmental Protection Agency Region VIII (EPA) has received and reviewed the Final Closure and Clean-up Verification Report, prepared by LT Environmental (Report), and submitted on behalf of Amoco Production Company, now known as BP America Production Company (BP America) pursuant to paragraph VII.E.5 of the administrative order referenced above (Order), and the certification submitted pursuant to paragraph VII.E.6 of the Order. The Report describes the completion of activities conducted pursuant to the Order. EPA is also in receipt of your letter dated October 31, 2002, to Nancy Mangone written on behalf of your clients BP America and HS Resources, Inc. (now known as Kerr McGee Rocky Mountain Corp.) confirming BP America's agreement to comply with certain conditions set forth in a letter from Ms. Mangone to you dated August 29, 2002. (Copies of both letters are attached.)

Section XVI.C of the Order states that the Order shall terminate upon receipt of written notice from EPA that BP America has demonstrated completion of all tasks required under the Order to the satisfaction of EPA. EPA has determined that, based on information provided in the Report, observations made during EPA site inspections, and BP America's commitment to comply with the conditions set forth in the August 29, 2002, letter, the requirements and corrective measures required under the terms of the Order, including additional actions determined necessary by EPA, have been satisfactorily completed. Therefore, upon receipt of this letter, the Order is terminated.



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EPA would like to remind BP America of its ongoing obligation under Section X of the Order to preserve, retain, and make available to EPA, all documents and records in its control, or in the control of any contractor or sub-contractor, relating to all actions under this Order, for three years from the date of this letter. This duty includes, but is not limited to, retention of all sampling tests, and other data and information with respect to implementing the Order. After the three year period of document and record retention specified under the Order, BP America must notify EPA and the State at least 90 days prior to the destruction of any such documents and records, and EPA or the State may request that you submit such records. In addition, the conditions agreed to by BP America in your letter of October 31, 2002, survive the termination of the order.

EPA recognizes and appreciates the efforts BP America has made in meeting the requirements of the Order. BP America's corrective measures have contributed to an overall effort of EPA and our co-regulators to address the significant hazards posed to health and the environment, including wildlife, from uncontrolled oil pits. If you have any further questions or require additional information, please contact Corbin Darling at (303) 312 6426, or Chuck Figur at (303) 312 6915.

Sincerely,

**SIGNED**

Sharon Kercher, Director  
Technical Enforcement Program

enc. (2)

copy: Glenn Mallory, CDPHE  
Roger Doak, CDPHE  
Trevor Jiricek, Weld County Health Department  
Roger Gephart, USFWS  
Pedro Ramirez, USFWS  
Johanna Miller, Region 8  
Nancy Mangone, Region 8  
Corbin Darling, Region 8  
Chuck Figur, Region 8  
Chris Lehnertz, Region 8

**FILED IN THE REGIONAL HEARING CLERK'S OFFICE ON JANUARY 27, 2003.**